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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,663	08/31/2001	Valiyolah Tadayon	85252/484318	4092

7590

04/09/2004

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,663

Applicant(s)

TADAYON ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Barney et al. (U.S. Patent No. 6,212,512).

As to claim 1, Barney teaches a computerized file system comprising:

a. an underlying computerized file system (tree hierarchical representation, col. 5 lines 52-65, figs. 4);

b. a database wherein said database provides storage (database is used to record information about files, col. 2 line 61-col. 3 line 25) for:

i. at least one pointer corresponding to a location associated with an object in said underlying file system (file information, col. 7 lines 55-65, col. 8 lines 43-64), and

ii. at least one instruction corresponding to a virtual location associated with said object (source location and target location, col. 3 lines 53-63, col. 7 lines 46-76,);

c. a graphical user interface which provides:

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i. a manipulable display, wherein said GUI interprets said at least one instruction to present said virtual location of said object in said manipulable display (the user can configure hierarchical view, col. 3 lines 5-24, and fig. 4), and

ii. a wizard which presents at least one screen comprising at least one step for defining a rule wherein said rule is associated with said object (options, col. 5 lines 33-65).

As to claim 2, Barney teaches an computerized file system comprising:

a. an underlying computerized file system (tree hierarchical representation, col. 5 lines 52-65, figs. 4);

b. a database wherein said database provides storage (database is used to record information about files, col. 2 line 61-col. 3 line 25) for:

i. at least one pointer corresponding to a location associated with a plurality of objects in said underlying file system, said objects comprising at least a first object and a second object, wherein said plurality of objects comprise one or more of the following:
a text file (Protection List Text File, col. 6 lines 44-55), music file, multimedia file, compressed file, uniform resource locator, contact, memo, bulletin board posting, or calendar; and

iii. at least one instruction corresponding to a virtual location associated with each of said objects (options, col. 5 lines 33-65);

c. a graphical user interface which provides a manipulable display wherein said graphical user interface interprets said at least one instruction to present said virtual

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location of said objects and wherein said second object may be manipulated and displayed as a virtual child of said first object (browse hierarchical root, col. 3 lines 5-25, col. 6 lines 13-16, and col. 9 lines 34-47).

As to claim 3, Barney teaches a computerized file system comprising:

a. an underlying computerized file system (tree hierarchical representation, col. 5 lines 52-65, figs. 4);

b. a database wherein said database provides storage (database is used to record information about files, col. 2 line 61-col. 3 line 25) for:

i. at least one pointer corresponding to a location associated with a plurality of objects in said underlying file system, comprising at least a first object and a second object (files can be copied and pasted, col. 10 lines 35-49); and

ii. at least one instruction corresponding to a virtual location associated with each of said objects; and wherein said database also provides storage for at least one pointer corresponding to a location associated with a directory in said underlying file system (The underlying database supports different views of the information stored in the database, col. 3 lines 5-15);

c. a graphical user interface comprising:

i. a manipulable display, wherein said GUT interprets said instruction to present said virtual location of each of said objects wherein said second object may further virtually comprise a child of said first object (browse hierarchical root, col. 3 lines 5-25, col. 9 lines 34-47), and

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- ii. a wizard comprising at least one screen comprising at least one step for defining a rule for association with each of said objects or said directory (options, col. 5 lines 33-65).

As to claim 4, Barney teaches an enhanced computerized file system comprising:

- a. an underlying computerized file system (tree hierarchical representation, col. 5 lines 52-65, figs. 4);

- b. a database including:

- i. a portion of memory for storing at least one pointer corresponding to a location associated with a plurality of objects in said underlying file system, said objects comprising a first object and a second object (Data Protection Software 120 and Primary Storage Device 112, col. 5 lines 18-33, and fig. 1);

- ii. a portion of memory for storing at least one instruction corresponding to a virtual location associated with each of said objects (Data Protection Software 120, col. 5 lines 18-33); and

- iii. a portion of memory for storing at least one pointer corresponding to a location associated with a directory in said underlying file system (Existing File Management Software, col. 5 lines 9-15, fig. 1);

- c. a graphical user interface (GUI) comprising:

- i. a manipulable display which presents said virtual location of each of said objects wherein said second object may further comprise a child of said first object (browse hierarchical root, col. 3 lines 5-25, col. 9 lines 34-47), and

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- ii. a wizard which presents at least one screen comprising at least one step for defining a rule for association with each of said objects or said directory (options, col. 5 lines 33-65); and
- d. an application programming interface (API) (API, col. 11 lines 20-30) which:
 - i. accepts commands from a user from said GUI (user commands) (input information from different input devices, col. 4 lines 51-64);
 - ii. translates said user commands into a set of native commands to be run against said database and against said underlying file system to obtain an output (Menu Option, col. 5 lines 34-51);
 - iii. processes said output; and
 - iv. displays said output on said GUI (Retrieve File, col. 8 lines 1-59).

As to claim 5, Barney teaches a method of enhancing a computerized file system comprising:

- a. associating an underlying computerized file system of a computer system with a database (tree hierarchical representation, col. 5 lines 52-65, figs. 4, and col. 3 lines 5-25);
- b. providing a memory location in said database for a pointer corresponding to a location for a plurality of objects stored in said underlying computerized file system, said objects comprising at least a first object and a second object, wherein said plurality of objects comprise one or more of the following: a text file (Protection List Text File, col. 6 lines 44-55), music file, multimedia file, compressed file,

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uniform resource locator, contact, memo, bulletin board posting, or calendar;

- c. providing a storage location for an instruction corresponding to a virtual location associated with each of said plurality of objects (Data Protection Software 120, col. 5 lines 18-33);
- d. providing a storage location for a rule corresponding to each of said plurality of objects in said database (options, col. 5 lines 33-65, and Data Protection Software 120, col. 5 lines 18-33);
- e. providing a graphical user interface (GUI) (Windows Explorer, col. 5 lines 1-16);
- f. presenting a manipulable display of said virtual location of each of said plurality of objects wherein said second object may further comprise a child of said first object (browse hierarchical root, col. 3 lines 5-25, col. 9 lines 34-47), and
- g. providing a wizard which presents at least one screen comprising at least one step for defining said rule for association with each of said objects or a directory associated with said underlying file system (options, col. 5 lines 33-65); and
- h. providing an application programming interface (API) (API, col. 11 lines 20-30) which:
 - i. accepts commands from a user from said GUI (user commands) (input information from different input devices, col. 4 lines 51-64);

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- ii. translates said user commands into a set of native commands to be run against said database and against said underlying file system to obtain an output (Menu Option, col. 5 lines 34-51);
- iii. processes said output; and
- iv. displays said output through said GUI (Retrieve File, col. 8 lines 1-59).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang et al. (U.S. Patent No. 6,028,603) teach hierarchy, database file system, image files, customizations, layout, GUI, and storage (cols. 2-15 and figs. 5-13).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

04/02/04

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